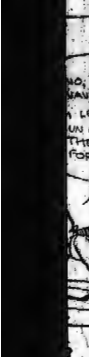

FORMAL PROTEST OF JAPAN TAKEN UP BY WILSON AND CABINET

Viscount Chinda Presents Secretary Bryan With Protest Against California's Anti-Alien Land Law

CLAIMS THAT LAW VIOLATES TREATY

Cabinet Meets Early on Friday So That An Answer May Be Returned Promptly to the Japanese Embassy

(By Associated Press.)

WASHINGTON, May 1.—Japan's formal protest against the California alien land bill was submitted to Secretary Bryan at the state department early today by Viscount Chinda, in person. The protest will be placed before President Wilson and the cabinet by Secretary Bryan; this forenoon, that an answer may be promptly returned to the Japanese embassy.

Secretary Bryan was a little late in arriving at his office, but five minutes after the appointed hour he was in conference with Viscount Chinda, who came to the state department alone. The conference lasted for 20 minutes, and at its conclusion the secretary and the ambassador left the department together, the former going directly to the White House to submit to the president the written communication which the ambassador had given to him, and the ambassador returned to the embassy.

Photographers snapped pictures of the two men as they came from the department side by side. The secretary declined to make any statement as to the character of the protest he had received until after the cabinet meeting.

At noon Secretary Bryan left the cabinet meeting.

"I have no statement to make at this time," was his only reply to all inquiries. The cabinet convened in session, and there were some intimations that some statement might come from the White House later.

Shortly afterward Secretary Bryan and the ambassador again met at the state department, but their conference was necessarily short. The secretary had to take an 11:40 o'clock train for New York.

Mr. Bryan took the statement with the ambassador would be returned to Washington from New York. This was taken as an indication that the state department was not yet prepared, even after the brief consideration in the cabinet, to make a final answer to the Japanese protest, which presented today by the ambassador.

Other members of the cabinet refused without exception to discuss the situation. Further than to say the general subject had been given attention.

There is a strong probability of a special cabinet meeting tomorrow to permit Mr. Bryan to lay before the president and his colleagues the results of his further conference with the Japanese ambassador.

At the White House and the state department there was every evidence of the intention of the president and the cabinet to go into the question without delay and give to the Japanese government a prompt outline of the federal government's attitude toward the Webb bill, should Governor Johnson sign it.

Congressmen Ready For Annual Struggle On Baseball Field

(By Associated Press.)

WASHINGTON, May 1.—Eighteen or more members of the house will brave sunstroke May 17 in their annual baseball game between the Republican and Democratic parties in the lower chamber. The proceeds which will be coaxed from an admiring public will be turned over to the local Playgrounds association.

Representative Kinkead, of New Jersey, is organizing and will captain the Democratic team. The captain of the Republicans is being kept a dark secret. On paper the teams line-up practically as follows:

Democrats—Representatives Thomas L. Reilly, of Connecticut; B. F. Shaffer, of Mississippi; James T. McDermott, Illinois; W. A. Oldfield, Arkansas; Walter Elder, Louisiana; F. J. Garrett, Tennessee; A. B. House, Kentucky; William F. Murray, Massachusetts; Maurice Connelly, Iowa; Sam Rayburn, Texas; E. Y. Webb, North Carolina.

Republican—S. C. Porter, Pennsylvania; C. D. Norton, North Dakota; Fred A. Burton, Illinois; John M. Morgan, Pennsylvania; James Manahan, Minnesota; John J. Rogers, Massachusetts; Ambrose Kennedy, Rhode Island; C. E. Patton, Pennsylvania; C. B. Stemp, Virginia; C. B. Miller, Minnesota.

Representative Victor Murdock, of Kansas, leader of the Progressives in the house, has been asked to act as umpire.

WALKER NAMES TALLEY MILLTOWN POSTMASTER

Congressman From Eleventh Georgia Makes First Recommendation

BY RALPH SMITH.

WASHINGTON, May 1.—Congressman Randell Walker, of the Eleventh district, today made his first postmaster recommendation. He certified to the postoffice department the name of William Talley for postmaster at Milltown, Burke county. It is believed that Mr. Walker's recommendation will be accepted by the postoffice department, and that in a few days Talley will be appointed by the president.

U. S. GOVERNMENT SURPRISED BY CONTRARY INVESTIGATION REPORT ON AMERICAN ASSOCIATION

U. S. Government Surprised Will Contrary Investigation Report on American Association

ASK PUBLIC TO SUSPEND JUDGMENT FOR A WHILE

Tests With Friedmann's Vaccine Do Not Justify Confidence Which Has Been Inspired by Publicity

(By Associated Press.)

WASHINGTON, May 1.—Public health officials so far into the condition of the National Institute by Dr. T. P. Friedmann with his tuberculosis vaccine, "do not justify that confidence in the remedy which has been inspired by widespread publicity," in the opinion of the surgeons who have conducted the government's investigation.

This first authentic and official conclusion from the tests was announced late today before the American Association for the Study and Prevention of Tuberculosis, by Dr. John A. Anderson, director of the government's hygienic laboratory, and Dr. A. M. Stimson, another public health surgeon, who were detailed to observe the progress in the Friedmann clinic at Mount Sinai hospital in New York.

"We believe that at the present time," says the report, "we are not yet in position to express an opinion based on the present condition of patients under observation. The disease for which the remedy is used is prolonged and is characterized by periods of advancement and retrogression.

TIME IS NECESSARY

"It is also one in which psychic influences are a powerful factor. This is, therefore, necessary to properly evaluate the effect of therapeutic measures.

"We must not lose sight of the possible therapeutic value of this preparation and, on the other hand, it is necessary to guard against the great optimism in respect to its merits. Without presenting in detail the conditions of patients under observation, we feel it our duty to state that the results thus far do not justify the confidence which has been inspired by the publicity given to the Friedmann treatment.

"In our opinion, harm may have been done by the premature publicity in that it has lessened the prominence of tuberculosis research in well-regulated sanatoria and treatment of patients in the home, and we are convinced it adds a new obstacle to the campaign against the spreading of those well known measures which not only had effected cures, but which have reduced the incidence of the disease.

"We are aware that Dr. Friedmann does not wish to be judged scientifically by the results of his treatment, but we would unduubtedly disclaim responsibility for certain of those which have appeared. Nevertheless, it is on those that the public bases its opinion until replaced by reliable and authentic scientific announcements, supported by convincing data.

HOW PATIENTS ARE DOING.

"In our series of patients Dr. Friedmann has almost exclusively made use of the intramuscular method alone in pulmonary cases, and a very considerable proportion of them have either developed no considerable infiltrate at all or have suffered from abscess formations. It is evident, therefore, that a very considerable proportion of these patients may expect their treatment at the hand of Dr. Friedmann to extend over a long period.

"Concerning the cultures submitted to us, we may state that a series of experiments is under way. The bacillus has been found to be an acid-fast organism having properties quite different from those of any tubercle bacillus with which we are acquainted. It appears to be identical with an organism cultivated from a few longrich of the material used for injection which Dr. Friedmann permitted us to place on cultures made in his presence. We requested Dr. Friedmann to furnish us with a large amount of this material for examination, but this he declined to do.

MIXTURE YET SECRET.

"We can state, however, that living acid-fast bacteria are quite injected by the intramuscular and intravenous methods, although we are ignorant of what is making that are suspended in or what additional substance or substances may be contained in the final mixture."

The report covers exhaustively the history of the Friedmann cure, as far as the facts have been available, to the public health service from the time of its announcement in Berlin in November, 1913, and reveals the efforts of the public health service to gather

(CONTINUED ON LAST PAGE, COLUMN 3.)

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Go into the contest for fun, start and keep The Journal pay all expenses on your wedding tour.

The Bookloyers' Contest.

MOTORS DRIVEN FROM TOWN TO THE HILLS

Mexican Civilians Join Americans in Fight and Much of the Stolen Property Is Recovered

(By Associated Press.)

WASHINGTON, May 1.—Tired of being raided and despoiled by every passing band of bandits, the little American colony at San Diego, Mexico, recently took to the warpath.

When a band of fourteen outlaws swooped down upon the colony, ten colonists, reinforced by five Mexican federal soldiers and a few Mexican civilians, pursued and defeated the looters and recovered a number of stolen horses.

President Huerta States Position of Mexico to U. S.

(By Associated Press.)

MEXICO CITY, May 1.—President Victoriano Huerta, during his conference yesterday with Henry Lane Wilson, the American ambassador, stated very clearly the position of Mexico in relation to the United States. The following official version of the conference was given to the Associated Press today:

"Provisional President Huerta respectfully stated to Ambassador Wilson that diplomat having referred to certain matters that the government of Mexico was disposed to arrange the affairs pending between it and the government of the United States, it was proposed out, however, that for the time being the American ambassador should understand he neither authorized government of Mexico has to arbitrating the matter in question, nor authorized the mediation of foreign powers, nor authorized any other form of intervention. Any such intervention would be ineffective in view of the fact that the government of Mexico does not recognize the Monroe doctrine.

"Mexico is the substance of the controversy between his excellency Ambassador Wilson and the President of the Republic of Mexico, General Victoriano Huerta.

"In addition, however, the government of Mexico, whether recognized or not by the United States, is the government and will always adopt measures for the safety of all the inhabitants of the country, whether they be Mexicans or foreigners, and this has been demonstrated by the attention given to the just petitions of those who have been in any manner injured by past revolutions.

"The United States and all the people of Europe have irrefutable proofs that the government of Mexico is especially prepared to give satisfaction to everybody without distinction of nationality."

Bachelor Leaves Big Fortune to Children Of Former Sweetheart

(By Associated Press.)

NEW YORK, May 1.—Although he lost the hand of a girl he wooed in his youth, James Carey Symbaughe, head of a coffee brokerage house here, kept green the memories of his romance and revealed them in his will in which he bequeath$ed $8,000 to each of the three children of the woman he had hoped some day to marry.

Russell died a bachelor and his most intimate friends were ignorant that he ever had a boyhood romance. When he left Norwalk, Conn., as a young man in 1880, to seek his fortune in New York, he hoped to go back some day for Mary Wait, only daughter of former Congressman John Turner Wait. But it happened that in Washington she met John Hunter Wallace, a nephew of Lincoln's secretary of the navy, and accepted his proposal of marriage.

The Wallace had three children, John Phillip, who is now a cotton broker in Norwich, Conn., Winnifred, aged twenty-one, and Rosalind, now a student at Cornell, who was named for James C. Russell. After the death of Mr. Wallace in 1890, Russell took an interest in his dead's children and on his own doubled last March he sent word for Mrs. Wallace, who was also dying, of his decision to provide for her children. She died a week ago.

THE SENATE TO THE BAT

MRS. LONGSTREET READY TO CONTEST MRS. HAM

Echoes of Gainesville Postoffice Appointment Heard in Washington

Mrs. Helen D. Longstreet, who failed in her fight for reappointment as postmaster at Gainesville, Ga., has arrived in Washington and will remain here in pleading to Mrs. Woodrow Wilson the remainder of her stay in Washington. Mrs. Longstreet, who was appointed postmaster at Gainesville, Ga., by President Taft, was one of the most active workers in behalf of President Wilson's election in the state of Georgia, and she has been demonstrated by the attention given to the just petitions of those who have been in any manner injured by past revolutions.

"The United States and all the people of Europe have irrefutable proofs that the government of Mexico is especially prepared to give satisfaction to everybody without distinction of nationality."

Congressman Thomas M. Bell, who recommended Albert S. Hardy for the postoffice, today received a letter from Senator Hoke Smith, declining to give Mr. Hardy his indorsement. Mr. Bell wrote to Senator Smith, following the nomination of Mrs. Ham, asking that he indorse Mr. Hardy.

The congressman declares that he will issue a statement to the public concerning the Gainesville postoffice. He feels that his constituents are entitled to understand his position. It is not known when the statement will be forthcoming.

The action of Congressman Lee in gracefully yielding to Mrs. Wilson the right to name the postmaster at Rome was commended at Washington. The incident has attracted wide publicity and at the capitol today many members of congress sought out the Georgian to commend him for his gallant and chivalrous attitude.

"It was also very nice and generous of the president to ask a Georgia congressman for the right to name a postmaster," remarked a representative in discussing the incident.

"The president, of course, had a perfect right to name any person that he chose for the office, without consulting with or asking the consent of anyone. He paid quite a compliment to Mr. Lee in sending for him."

The postmastership at Waynesboro brought Mayor Frank S. Palmer and Sidney C. Jones to Washington today. Congressman Edwards has recommended the nomination of G. H. Jones, and this choice is not satisfactory to all the patrons of the Waynesboro postoffice. The matter does not appear until July.

Judge Newt A. Morris, of Marietta, and David Comfort, of Tifton, are here to see the postmaster general about a vacancy in the latter town, recently left by Comfort. Congressman Harris has indorsed Mr. Morris for the job, the incumbent being at 72 cents.

John T. Smith, of Hiltonia, stopped in Washington today for a conference with Senator Hoke Smith. He is here to talk to Mr. Bell.

Mr. Mandeville and daughters, of Quitman, are here on some local from Quitman. They were the guests of Judge Adamson at luncheon today.

Captain Walter T. Ansley, of Atlanta, came out of the people' cloakroom between the house and is visiting Congressman Randell Walker.

Captain appointed: Butts, Rosetta Ga., R. F. D. Griffin, Griffinville, Ga., J. J. Mathis, Ga., M. M. Vaughn.

Depew Calls on President

ASQUITH AND CHURCHILL FEAR LONDON MILITANTS

Extra Guard Thrown Around Cabinet Members Fearing Trouble From Militant Women

(By Associated Press.)

LONDON, May 1.—Apprehension of trouble from the militant women suffragists, today took the Asquith and Winston Spencer Churchill first lord of the admiralty, accompanied by their wives, left Waterloo station on the Southwestern railway, to proceed to the coast to join the admiralty yacht Enchantress, on which they are to make a long cruise in the Mediterranean.

A large number of naval aides, government departmental secretaries and railway officials surrounded the party, formed by the cabinet ministers and those who had come to bid them good-by.

Beyond there their was an outer circle of detectives to protect the ministers from any undue attention by militant suffragettes or their male supporters. So great was the protecting force in the railway station that any demonstration by the suffragettes would have been impossible. Mr. Asquith and Mr. Churchill intend to inspect the British garrisons and naval stations in the Mediterranean.

A militant suffragette, "brain squad" this morning set fire to a large unoccupied mansion near Sanger-in-Fortness, Lancashire. It was destroyed. A quantity of suffragette literature was scattered on the lawns surrounding the house.

PRESIDENT AND LEADERS TO CONFER ON CURRENCY

Considerable Opposition to Early Consideration of Currency Reform Develops

(By Associated Press.)

WASHINGTON, May 1.—Details of the currency program for the house and senate will be discussed at a conference of congressional leaders with President Wilson tomorrow night. Considerable opposition has developed, particularly in the senate, to the proposal to postpone consideration of the tariff bill, and the leaders will endeavor to arrange just how for the tariff bill to go and how far the wishes of the president in the present legislative session.

No is this time Representative Underwood, of Alabama, chairman of the house committee, and Senator Simmons, of North Carolina, ranking member of the senate committee, will be asked to put through the currency legislation, which they have framed, in the form of a compromise bill until the tariff bill is disposed of. Mr. Underwood is doing the drafting in the house.

Chairman Glass, of the house banking and currency committee, and Senator Owen, the senate committee chairman, will be asked to work with the committee on the tariff bill, and it is believed that the two committees will be able to work out a compromise measure which will be acceptable to the president and the leaders.

MUNSTERBERG FEARS AN ENGLISH-U. S. ALLIANCE

Harvard Professor Asks Peace Delegates Not to Antago-

(By Associated Press.)

NEW YORK, May 1.—Prof. Hugo Munsterberg, of Harvard, a German citizen, today told the American peace societies arranging for a celebration of 101 years of peace among English-speaking peoples, that there were many "non-English people," who regarded the movement as a forerunner of an alliance between England and the United States aldgainstlie in Germany. While he regarded such a view as absurd, Prof. Munsterberg added, he warned them to proceed carefully.

"We should proceed," said Prof. Munsterberg, "to avoid every appearance of this movement being pointed at non-English descendants in this country. There is not the slightest doubt but that there is a certain distrust and a certain fear that this movement would bring about reaction in the direction of those who are not of English descent. They fear they would be brought into a 'second line' as if they were citizens of the second class. I feel sure that this is far from our view, but the crowd misunderstands.

"There are many who believe that the purpose of the whole movement is to bring America to the service of England in order to fight Germany. That is certainly a most absurd understanding and it would be most unfortunate if such a view should gain most strength. There has been a century of peace with England but peace between Germany and this country has never been broken.

"I hope that those who are responsible for the details of the movement will not overlook the possibility of danger."

Mr. Carnegie, presiding, replied to Dr. Munsterberg:

"We are so innocent of the charge," he said, "that we can not imagine that anybody would suspect us. The American has no prejudices, I might say. I suggest that the proposed monument which is to commemorate the 100 years of peace of the past, also say this: With abiding faith in unbroken peace with all nations for centuries to come. That will relieve you, professor.

"We have no more patriotic Americans than the German people," concluded Mr. Carnegie.

KANSAS BEGINS WAR ON LIQUOR SALESMEN

Many Charges in Kansas City, Kas., Against Dealers in Kansas City, Mo.

(By Associated Press.)

KANSAS CITY, May 1.—A conviction of the liquor dealers in Missouri, on charges of violating the Kansas prohibitory law, is expected to result from a series of prosecutions which have been begun in Kansas City, Kas., in the wholesale liquor trade in Kansas City, Mo., and by the Kansas City, Mo., and by the Kansas City, Kan., and by the Kansas City, Mo., and by the Kansas City, Kan., and by the Kansas City, Mo., and by the Kansas City, Kan

HERE IS TESTIMONY OF WITNESSES GIVEN AT THE FINAL SESSION OF CORONER'S JURY IN PHAGAN CASE

Full Story of Hearing Thursday Afternoon When Frank, Newt Lee, Detectives Black and Scott and Several Character Witnesses Were Placed on the Stand

The verdict of the coroner's jury that Mary Phagan came to her death by strangulation and its recommendation that John M. Frank be held for investigation by the grand jury, were rendered at 4:45 o'clock Thursday afternoon and marked the conclusion of one of the most remarkable inquests ever held in this state.

Deputy Sheriff Minor carried the news of the coroner's jury verdict to Mr. Frank and to the negro. Mr. Frank was in the kitchen of the home, reading an afternoon paper, when the deputy approached him and told him that the jury had ordered him and the negro held for an investigation by the grand jury.

"Well, it's no more than I expected at this time," Mr. Frank told the deputy. Beyond this he made no comment.

Newt Lee, says Mr. Minor, was visibly affected. He seemed very much depressed and hung his head in a dejected manner.

The jury was empanelled by Coroner Paul Donehoo on Monday, April 28, and has held four long and tedious sessions for the taking of testimony in addition to meeting to inspect the scene of the crime and the prison. Twice the body of Mary Phagan was exhumed at the order of the coroner, in order that physicians might search more thoroughly for signs and evidence.

The reports of the physicians, who made these examinations, have never been made public, even the evidence of the county physician, Dr. J. W. Hurt, having been given the jury behind closed doors. It is said that even to the jury the physician did not go thoroughly into his investigation. The verdict of the jury was rendered after only twenty minutes of deliberation.

Superintendent Frank and the negro, Lee, were both searchingly examined for the second time by the coroner at Thursday afternoon's session inquest, but neither added materially to former statements. Lee was principally questioned about the interview, which Mr. Frank had with him in a cell at police headquarters.

EVIDENCE ALL CIRCUMSTANTIAL

Harry Scott, the Pinkerton operative on the case, gave interesting testimony of his position in the probe of Mary Phagan's death. Mr. Scott refused to commit himself, when asked if he had definite information as to who killed Mary Phagan. "I am working on a chain of circumstances—that is all," he said.

City Detective John Black in answering the same question said that he had no "positive" information as to the murderer.

A number of character witnesses were introduced towards the close of the inquest.

DETECTIVE HARRY SCOTT'S TESTIMONY AS GIVEN BEFORE CORONER'S JURY

An unexpected turn was given to the coroner's inquest into the mysterious murder of Mary Phagan, Thursday afternoon, when Harry Scott, the Pinkerton detective who has been representing the agency in its work on the case, was called to the stand by the coroner. Mr. Scott was in the room at the moment.

One new detail that he revealed was in a reply, to a direct question from the coroner, when he stated that Herbert Haas, attorney for Leo M. Frank and attorney for the National Pencil factory, requested him and the superintendent of the Pinkerton agency in Atlanta to withhold from the police all evidence they gathered until he, Mr. Haas, would consider it.

That reply, said Mr. Scott, was that they would withdraw from the case before they would do that.

He proceeded to say that he and his firm still are retained by the pencil company.

Mr. Scott was called to the stand when Assistant Superintendent Schiff, of the pencil factory, left it.

He is assistant superintendent of the Atlanta agency of the Pinkerton detective service, he said. He lives at 52 Cherry street. The agency was retained in the case by the National Pencil company "to locate the party responsible for the murder of Mary Phagan." The engagement was made Monday afternoon, April 28, when, about 4 o'clock he received a phone call from Leo M. Frank, superintendent of the factory, and in response to it Mr. Scott went to the factory to see Mr. Frank. There, said he, he found a score of men whom he afterward identified as Frank, Mr. Darley and others, standing around the time clock talking. He introduced himself and said he wanted to see privately whoever was particularly interested in the case. He and Mr. Frank and one or two others went into a private office and Mr. Frank called Sig Montag, treasurer of the company, over the telephone to get authority to employ the detectives.

Asked how Mr. Frank broached the subject to him, Mr. Scott said the factory superintendent remarked: "I guess you've read of the horrible murder committed? We feel that the company ought to make some investigation to show the public we are interested in clearing up the crime. We want the Pinkertons to locate the murderer."

Mr. Frank then told him all he (Mr. Frank) seemed to know about the matter, said the detective. Mr. Frank said that he had been down at police barracks a short while before, and that Detective Black seemed to suspect him of the crime.

QUIZZED FRANK IN DETAIL

Mr. Frank detailed his movements on that particular Saturday, said the detective. The witness quoted as his factory superintendent in detail as he remembered the relation, giving the same story that since has been elaborated by Mr. Frank himself and others on the stand. Mr. Scott said that the superintendent said he left the factory about 6:15 on the afternoon of Saturday, April 26. As he went out of the green door, he said, he saw Lee sitting on a packing box outside talking with Gantt, formerly a bookkeeper in the factory. Then he went on to relate the matter as it is already generally known, about leaving Gantt there and telephoning to the night watchman later after failing to get him once over the telephone.

After getting the watchman over the telephone and learning that everything was all right, Mr. Scott said, Mr. Frank told him he (Mr. Frank) "prepared to go to bed about 9 o'clock."

He asked Mr. Frank very few questions, said the detective. He took notes of what was told to him. He went over the building with Mr. Frank then, looking at the elevator, the time clock, the machine room, where Frank pointed out to him a machine on which human hair was said to have been found that morning, and pointed out also what were believed to be blood stains on the floor. Mr. Darley accompanied them. He went into the basement with his escort, said the detective, and saw the interior, pointed out where the hat and shoe had been found, also the spot where the body had been found, and the window out of which it was pitched with the lock from the back door.

OPENING NO OBSTACLE

Mr. Frank advanced no theory about the crime, said the detective, and offered no suggestion. He asked him the night afterward at police headquarters, in the presence of Detective Black, but he didn't ask the pencil superintendent for a statement because he understood the police had one already. He denied that Mr. Frank had represented himself for too much said or had remonstrated with him for trailing him (Mr. Frank).

REFUSED ATTORNEY'S REQUEST

The detective answered a direct question, however, by saying that Herbert Haas, representing himself to be an attorney for Mr. Frank, did call at the Pinkerton office and there, in Superintendent Pierce and Mr. Scott, made the request that the detectives withhold from the police all information which they gathered until he, Mr. Haas, had considered it. They told Mr. Haas they would withdraw from the case first, said Mr. Scott.

"Who gets copies of your reports?" he was asked by the coroner.

"I think Mr. Sig Montag gets copies of all reports we make," said the witness. He added, replying to questions, that his agency still is employed by the pencil company—"to fix the responsibility for this murder."

"Do you know anything about the conversation Mr. Frank and the negro Newt Lee had along together at headquarters?"

The detective replied that City Detective Black had 'a suggested to Mr. Frank that he employ this method for drawing from the negro all the information he could, and Frank agreed and went into the room with Lee. He did not know what passed between them, said the detective, except what he learned from the negro's relation of what was said.

DIDN'T TRY TO GET TRUTH

Mr. Scott said that Newt Lee told him Mr. Frank did not try to get the truth out of him (Lee) during their talk at the police station.

That Lee said he accused Mr. Frank of knowing something and that Mr. Frank only hung his head and later told him it he (Lee) didn't stick to his story they would both go to hell.

That Lee said he told Mr. Frank the crime must have been committed in the day time, and Mr. Frank again only hung his head.

Mr. Scott said that Lee then said he had started to describe to Mr. Frank how he had found the body and that Mr. Frank said, "Let's don't talk about that any more" before he had finished.

Mr. Scott said that Mr. Frank had told him after the conversation with Lee that he couldn't get anything out of the negro. The witness said that Mr. Frank reported that he had asked Lee why there was a break in the time slip and that Lee said he had punched it.

Mr. Scott said that he did not find the bloody shirt at Newt Lee's home—that it was found by Detective Black and Detective Bullard. The witness said that he looked at the shirt and that it seemed to him it had not been worn and that the blood was fresh. He said that Lee, when shown the shirt, said: "That's my shirt," and later qualified his statement by saying that it might be his shirt; that he hadn't worn it in two years.

"Have you any definite information which makes you suspect any party of the crime?" the coroner asked Detective Scott.

WOULDN'T COMMIT HIMSELF

"I wouldn't commit myself," replied the detective, who continued that his investigation was not complete and that he was working on a chain of circumstances.

"Is this chain of circumstances known to yourself alone?" he was asked.

"No," replied Mr. Scott. "Detective Black has been with me all the time on the case."

Mr. Scott was then excused.

DETECTIVE JOHN BLACK TELL THE JURY HIS VIEWS ON THE PHAGAN CASE

Detective John Black followed Detective Scott on the stand. He was questioned about the finding of the bloody shirt at Newt Lee's home. He said that on the Tuesday afternoon following after the murder he went with Detective Fred Bullard to Newt Lee's home at 49 Henry street.

They searched the premises, he said, and found the bloody shirt in a clothes barrel in Lee's room. The shirt was near the bottom of the barrel and was covered with pieces of old clothes, he said, the barrel apparently being used as a hanging place for old garments.

Asked whether he had seen the shirt Lee had worn, the founding Thursday the Phagan child's body was discovered, Detective Black said it was not the same shirt, that was found in the barrel. The shirt found by Lee's home was apparently light washed but not panicky looking.

Juror Langford at this point asked Detective Black, "Have you discovered any positive information as to who committed the crime?"

Detective Black replied, "Do you mean positive information? No, sir, I have not."

Detective Black contradicted the testimony given as to the bloody "mammy" by Louis Quinn by saying that Quinn had told him the Monday after the tragedy that he had not been to the pencil factory the Saturday before.

Detective Black said that he was of the impression that Mr. Frank had told him that he got the fright out of Mrs. Hall's face when he told her that a girl had been murdered in the factory, and they washed blood in factory house one.

"Did you see any blood in the place?" I asked Mary Phagan. I said with I did not. He added that he had seen a little pin like girls who worked in the factory daytimes Saturday afternoon. Frank, he said, told him he had "quizzed every girl you right away."

"Didn't you say the other day that the first time you heard Mary Phagan's name was in the automobile going down town?"

"No."

"Do you remember whether or not Harry Denham and Arthur White had talked with them on the fourth floor?"

"I don't remember."

"When you came downstairs to go out to lunch, did you lock the doors leading into the office?"

The witness did not remember. He

SUPERINTENDENT FRANK IS ONCE MORE PUT ON WITNESS STAND

Leo M. Frank general superintendent of the National Pencil factory, was recalled to the stand. He was questioned regarding the elevator. The coroner wanted to know what kind of a door there is to the shaft on the office floor.. The witness replied that it is a heavy door solid, that slides up and down.

"Where was the elevator on Saturday, April 26?" he was asked.

"I didn't notice."

"Where was it on Friday night?"

"I didn't notice."

"Was the door open on Saturday?"

"I didn't notice."

Asked whether it would not be possible for some one to fall into the elevator shaft if the door was open, he replied that there is a bar across the door.

"Where was the elevator after the murder?"

"I can only say it was at the office door on Sunday morning," replied the witness.

The coroner reverted to the time-clock. "What time did you take the slip out of the clock?" he asked.

"I took it out, marked the time on it, and handed it to an officer," replied the witness.

"What officer?"

"I don't remember."

Regarding the guests who, his mother-in-law and father-in-law testified, called at their home Saturday evening, the coroner asked him next.

"Do you remember a party at your home on the night of the murder?"

"Yes."

"Why didn't you tell about it when you were on the stand before?"

"I wasn't asked."

"We asked you about whom you saw. Now can you tell us who was there?"

Mr. Frank named them, corroborating what his father-in-law and mother-in-law had testified as to their identity. He didn't pay much attention to them, said Frank. He merely greeted them and continued his reading.

"Where were you sitting?"

"In the front room."

"Didn't the guests have to pass you when they went to the dining room from the front door?"

"Yes."

"When the officers came out Sunday morning to bring you down to the factory, what was said about something to drink?"

"I told my wife I wanted something warm to drink. One of the officers said that something would do me good." The implication was "whisky," but I didn't mean that. What I wanted was a cup of coffee."

He was asked regarding the telephone call during the night, and repeated that he thought when he got up that he had dreamed of the telephone ringing, and that later when he was told the officers had tried to get him he concluded that the dream was real.

"Did you see the girl's body?"

"Yes. I walked in, and they turned on the light and I looked at the body, recognizing her as the girl I had paid the day before."

"When did you hear her name first?"

"I don't recollect."

"What time did you get home on Sunday?"

"I don't remember, but I think it was about 1 o'clock."

When he telephoned home to his wife Sunday morning he did not give her any of the details of what had happened, said he. "When you went home, did you go into details?"

"No. I merely told them what the detectives had found. We didn't discuss it very much."

"What topic did you discuss?"

"I don't remember."

TELLS OF QUINN'S VISIT.

The witness said that Leonine Quinn, a foreman in the factory, first told him about the visit to the factory on one of the two days he spent at police headquarters. He said Quinn remarked: "I was there at the factory Saturday." The witness said he recalled the fact when Quinn mentioned about the time.

Mr. Frank could not recall having told Quinn anything about withholding information about that point until his lawyers could pass on it. He had so many visitors, he couldn't remember a detail like that, he said. He couldn't remember who made the suggestion about consulting attorneys. He didn't know whether Quinn knew (when he recalled the visit to mind) whether he had a lawyer. He didn't remember how long he had counsel at that time.

"When did Quinn mention this visit on Saturday?"

"I don't remember."

"How can you lock the door into the dressing room where the blood was found?"

"I don't know. I suppose with keys. There is a door with a lock, in the partition. A spring in the lock keeps it closed."

"Is there any way to lock the doors and stop passage on the back stairs?"

"There are doors to the stairs, but I never heard of them being locked recently."

TELLS OF TELEPHONE CONVERSATION.

The witness was asked other questions, where proof was not evident, about these two doors and how they stood that day, and the locks on them, etc. The fact was brought out that Miss Nellie Wood, of 8 Corpus street, said that she didn't know Mr. Frank very well. He had worked at the factory two days about two years ago, she said.

Miss Wood said that she was employed as a foundry. Mr. Frank would come to her and put his hands on her "when it was not called for," she said.

"Any other girls?" the coroner asked.

"No, sir, not that I saw," she said.

"Is that all he did?" the coroner asked.

"No, that's not all," he witness replied. "He asked me into his office on talk business on the second day I was there. The subject of the conversation was whether I was going to stay there. He wanted to close the door. I objected and he said, 'Don't worry. No one is coming in.' He was too familiar. I didn't like it."

The witness said that Mr. Frank attempted familiarity and then tried to pass it off as a joke, but that she told him she was "too old for that."

Mrs. C. D. Donegan, of 185 West Fourteenth street, said that she worked at the factory about three weeks two years ago. She said that Mr. Frank had smiled and winked at the girls, but never more than that. She denied that she had told Detective Scott anything more than this.

CHARACTER WITNESSES ARE CALLED IN THE CASE BY CITY DETECTIVES

Tom Rackstock, of 21 Highflower street, a youth of about sixteen or seventeen years, testified that he worked at the pencil factory about a year ago. He didn't know Mr. Frank personally, he said, but knew him when he worked at the factory.

"Did you have any opportunity to observe his conduct with the women there?" the lad was asked.

"I saw him pick at the girls," was the reply.

"Who were they?" the coroner asked.

"I couldn't tell their names now," he said. "I didn't work there long enough to get very well acquainted."

The coroner asked how Mr. Frank had acted and the boy said he had placed his hands on some of them. He didn't know how many times he had seen this.

In reply he mentioned the name of a girl, but said he had simply heard a rumor since the crime was committed. He knew nothing of his own knowledge.

The witness said he had never heard any of the girls complain, but had seen them trying to get out of Mr. Frank's way. He worked at the pencil factory about six weeks, he said, and stopped because he found a better position.

CORONER DONEHOO POINTS OUT THE LAW TO THE JURORS

The coroner's charge to the jury was in part as follows: "You have heard the statement of the county physician. You have seen what caused death. You have seen the body and have heard the evidence in the case.

"It is your duty to inquire diligently as to how Mary Phagan came to her death. That was your oath. In cases of unnatural death, you were to determine as to whether death was by the act of another.

"You have heard the county physician give his examination of death, in determining who is guilty of the murder you turn to the evidence, and if you find that any other party is implicated or is attempting to shield the murderer, he is guilty in the same degree.

"Your position in this matter is similar to that of a committment court, not a trial court.

"If there is a reasonable suspicion in your mind directed against any person or persons in connection with this crime, it is your duty to hold them. You also can hold witnesses who are essential to trying this case. If you think anybody not actually connected with the case has important information bearing upon it, you can hold them.

"If you believe any one is concealing information, it is your duty to commit that person as an accessory of the crime."

Local Talent Villain Shoots Self When the Petite Heroine Faints

(By Associated Press.)

SHARON, Pa., May 2.—During the presentation by amateurs of a melodrama here last night, under the auspices of a local lodge, the heroine, Miss Kitty Shafter, while heaping invectives on the head of the villain, suddenly collapsed and lost consciousness. In the excitement Frederick McIntyre, the villain, accidentally shot himself in the left hand with a revolver. The show ended abruptly.

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TARIFF BILL IN SENATE COMMITTEE ON FINANCE

Democratic Sub-Committee Is Ready to Report on Various Provisions of the Bill

(By Associated Press.)

WASHINGTON, May 9.—The Underwood tariff bill, proclaimed by the Democratic party as the answer to its platform pledge to revise the tariff downward, was passed by the house last night. The vote was 281 to 139, five Democrats voting against the bill and two Republicans voting for it. Four progressives supported the bill and fourteen opposed it, while one independent progressive joined with the majority.

When Speaker Clark announced the vote to loud zones that revealed his satisfaction in the arrival of the day he long had sought, exuberant Democrats lustily yelled a stuffed Democratic donkey over the heads of their colleagues in the rear of the chamber, a faint ripple of applause followed, and the gavel fell on the first chapter in the history of President Wilson's extra session of congress.

With the bill, after a month's consideration, on its way to the senate, there was a Noah of representatives for their homes. In the house adjournment will be taken three days at a time, beginning next week, until June 1. In the meantime the senate finance committee will study the bill, while the house ways and means committee will organize committees preparatory to the transaction of business next month.

Republicans and progressives, led respectively by Representatives Mann and Murdock, protested to the last against the measure, the lowest tariff bill ever written, and proclaiming, as the Democratic avalanche howled them over, the virtues of different tariff commission plans.

Republicans who voted for the bill were Carr and Stafford, of Wisconsin.

Democrats who opposed it were Broussard, Dupre, Lazaro and Morgan, of Louisiana, on account of the schedule reducing sugar 25 per cent and sending it to the free list in three years, and C. B. Smith, of New York.

Progressives who voted for the bill were Kelley and Rupley, of Pennsylvania; Nolan, of California, and Bryan, of Washington. Kent, of California, formerly a Republican, but now an independent progressive, also voted for the bill.

Progressive Leader Murdock and thirteen of his progressive followers voted with the minority. Representative Corley, a progressive, did not vote, answering "present" to his name.

WAITER SHOOTS COOK IN FIGHT ON PULLMAN

Passengers Thrown Into Panic as Pennsylvania Train Pulls Out

(By Associated Press.)

PHILADELPHIA, Pa., May 9.—As a Pennsylvania railroad train bound for St. Louis pulled out of the North Philadelphia station last night, passengers in the dining car were thrown into a panic when Vandergrift Thomas, a waiter, shot John E. Dyer, the cook attached to the car.

Two shots were fired, and one took effect in Dyer's leg. As he fell Thomas brushed past excited passengers, revolver in hand and jumped from the train. The conductor signalled the engineer to stop and Dyer was sent to a hospital. An hour later Thomas was arrested while boarding a train for Washington at the West Philadelphia station. He was held under $1,000 bail for a hearing today. According to the police the shooting was the result of a quarrel.

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aid nature in its work. You will be surprised at the beneficial results. At your druggist—sugar coated or plain.

FRIEDMANN PATIENTS SHOW LITTLE CHANGE SINCE INNOCULATION

(Continued from Page 1.)

material from Dr. Friedmann for its investigation.

On the whole, Dr. Friedmann's reluctance to furnish certain details, "were not satisfactory" from a scientific standpoint," but the report says, "in view of the great importance of the matter to tuberculosis patients throughout the country and in the hope that a valuable remedy might have at last been found to not only cure tuberculosis patients but to prevent the disease, the conditions imposed by Dr. Friedmann were accepted. An additional reason for taking advantage of opportunities to make every study possible was the assurance by Dr. Friedmann of its harmlessness when injected into human beings.

PHYSICIAN'S CONDITION.

One of the conditions imposed by Dr. Friedmann, according to the report, was that he would furnish detailed information of the methods of preparing his remedy when the public health board recognized favorable results in patients.

The board found that under all the conditions imposed it would have opportunity only to study a culture of the bacteria said to be used in some way by Dr. Friedmann in the preparation of his treatment, to test its pathogenicity on the lower animals and observe the effect of treatment by him of tuberculous patients with his finished remedy. These limitations, the investigators found unsatisfactory from the scientific standpoint.

The report is careful to say that Friedmann's reticence has in no way been allowed to interfere with the judgment of the board of the effects which it has observed.

The government investigation is not finished as the tests being conducted in the hygienic laboratory here and the observations of the persons inoculated will be continued.

Immediately after presentation of the public health service report, a resolution was unanimously adopted declaring it to be the judgment of the association that "no specific cure for tuberculosis had yet been discovered to warrant the confidence of the public or the medical profession."

The resolution recommended to all that present methods of treatment be continued. Dr. Friedmann was not mentioned by name in the resolution.

The association adopted a resolution recommending that the house of representatives which now has no committee on public health, appoint such a one.

Twelve new directors, six laymen and six doctors, were elected to fill vacancies.

Among them were:

Miss Julia Lathrop, head of the children's Bureau of the department of labor; Dr. Charles P. Neill, of the bureau of land statistics, and Watson S. Rankan, Raleigh, N. C.

NEW YORK POLICE ARE GIVEN HEAVY SENTENCES

Convicted Inspectors Get Maximum Sentence for Conspiracy to Obstruct Justice

(By Associated Press.)

NEW YORK, May 9.—Dennis Sweeney, John J. Murphy, James B. Hussey and James F. Thompson, former police inspectors, convicted of conspiring to obstruct justice to check graft revelations involving them, were sentenced today to serve one year in the penitentiary and pay a fine of $500 each. This is the maximum sentence.

Up to the moment that sentence was pronounced the belief prevailed that one of the four would "squeal to the district attorney or the man higher up."

It is not yet too late for one of the inspectors to save himself by an eleventh-hour statement.

No move of any sort looking to an appeal was taken by any of the four prisoners today. An effective club against appeal is held by the district attorney in the form of nineteen indictments for bribery—a felony—recently returned against the quartet.

The crime for which the four inspectors—highest uniformed officials in the department—were convicted was brought to light by the district attorney in his crusade against graft in the police department, begun after the murder of Herman Rosenthal.

George A. Sipp, a resort keeper, told Mr. Whitman that he paid regular protection money to collectors acting for Sweeney. When it came time for Sipp to testify before the grand jury he had fled.

He was found at Atlantic City, brought back to New York and testified that Sweeney and his three confederates had raised a fund and hired him to remain out of the state.

WOMAN DENIES AFFIDAVIT IN O'HARA SCANDAL

CHICAGO, May 9.—Mrs. Maud Robinson, alleged author of the affidavit produced in the state senate charging Lieutenant Governor Barratt O'Hara with immorality, has denied its authorship, according to her cousin, Mrs. Nicholas Nomikos, of Chicago. Mrs. Robinson was with Mrs. Nomikos yesterday, the latter said, and left this morning to return to Springfield.

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WITH TWO MEN HELD IN TOWER, MYSTERY OF MURDER DEEPENS

(Continued from Page 1.)

Hautell, W. A. Boazer and Albert Royston.

Only the filing of writ of habeas corpus for one or both of the prisoners is likely to precipitate immediate action by the grand jury, and there has been no intimation from Attorney Luther E. Rosser, counsel for Mr. Frank, that he will seek the liberation of his client through a habeas corpus writ.

Investigation Just Begun Says Detective Lanford

General satisfaction was expressed Friday morning by the detectives working on the Phagan case at the action of the coroner's jury.

Chief of Detectives Lanford, however, declares that the work of his department is just now getting under way.

"We are going to continue right on with the investigation," said the officials, "and try to dig down to the truth of this matter.

"We have a theory as to who committed the crime, but we are ready to change it if we can possibly unearth any evidence which will prove that theory wrong. We are going to make an impartial investigation and we are not going to leave anything undone, which might tend towards the solution of the mystery.

"My men will not be so pushed for time now and they can make systematic and deliberate investigation of every point of importance in the case, and they have much hard work before them. Even if nothing new develops, we have enough work outlined on the case to keep half a dozen men busy for the next week."

Detectives Campbell, Starnes, Black, Bullard and Ross Rosser, who have been working on the case, are still detailed to the investigation.

HOUSE BEGINS TRIAL OF MILLIONAIRE GLOVER

Charged With Contempt for Striking Congressman Sims of Tennessee

(By Associated Press.)

WASHINGTON, May 9.—The house met an hour early than usual today to take up and act upon the case of Charles C. Glover, the millionaire bank president, whom a special house committee found guilty of contempt for assault upon Representative Sims, of Tennessee, in Farragut square on April 18. The incident was the sequel to criticism made by Mr. Sims upon Mr. Glover in connection with real estate transactions in Washington.

A special committee of the house recommended that the speaker issue a warrant for Mr. Glover's arrest to answer the contempt charge.

Democratic Leader Underwood said that the matter would be discussed and disposed of at today's session.

When Representative Davis called up the resolution Representative Campbell, of Kansas, asked for an hour to speak against the committee's recommendation. An arrangement was finally made to allow five hours of debate on the resolution, and Representative Davis opened the discussion with explanation of the committee's report.

Representative Moon, of Tennessee, attacked the Washington banker. He referred to a conversation between Representative Johnson, of Kentucky, and Mr. Glover mentioned in the committee's investigation, in which Mr. Glover, according to Representative Johnson, expressed regret that the law prevented dueling.

"The fact that Mr. Glover wanted to fight a duel," said Mr. Moon, "indicates that he had murder in his heart. Not only did he commit a contempt of this house, but he wanted to kill the man who thwarted his attempt to reach his victim into the United States treasury. This is the extent of the offending of Mr. Sims. He stood here to protect the interest of the government; he defeated an attempt to plunder the treasury."

Representative Campbell argued that the house was exceeding its power in undertaking to prescribe punishment for an offense against the law of the land. "We are today," said he, "trying to deny to a citizen of the United States his constitutional right of a trial by jury in the courts of the land, on a charge of assault and battery."

Mr. Glover's attack on Mr. Sims followed a speech in which the Tennessee representative attacked the banker for his part in a real estate transaction in which the government was interested.

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